

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

FREDERIC J. ELLIOTT, On Behalf of Himself)	No. CV 4-1474 RSM
and All Others Similarly Situated,)	
Plaintiff,)	STIPULATION AND ORDER OF
)	DISMISSAL
v.)	
)	
DRUGSTORE.COM, INC., KAL RAMAN,)	
ROBERT BARTON, and SRIDAR IYER,)	
Defendants.)	
_____)	

IT IS HEREBY STIPULATED by the parties to the above action, through their respective attorneys, that this cause, including all claims, counterclaims and cross-claims which were or could have been asserted by any party, including appeals and cross-appeals, is dismissed with prejudice and all parties will bear their own costs.

Respectfully submitted,

KELLER ROHRBACK L.L.P.

Dated: November ____, 2005 By: _____
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Dated: November ____, 2005

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Counsel for Defendants

ORDER OF DISMISSAL

Based upon the foregoing stipulation, IT IS HEREBY ORDERED that the above-entitled cause be and it is hereby dismissed with prejudice and without costs.

Dated this 18th day of November, 2005.

A handwritten signature in black ink, appearing to read 'R. Martinez', is written over a horizontal line.

RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE